

DHS Presidential Transition Office Tasking 19:

List all resources available that could be used for wall/barrier construction including details about specific accounts, account balances, etc.

- **Strategic Site Context** – Fencing/Walls are a critical part of increased border security, and are an integral piece of the United States Border Patrol's (USBP) multilayered approach to defending the Nation. Access roads, persistent surveillance, and fully-equipped agents are *equally* vital. It is a system of systems.



- **Existing Resources** – Customs and Border Protection (CBP) has no existing balance of appropriated funds for new fence/wall construction. Nearly all current and prior year funding could be re-programmed through Congress, to provide funding for fencing/walls. Nearly all such decisions would have an operational impact, merely moving money within the system of systems described above.
 - CBP currently has funding for repair and maintenance of border fence.
 - DHS/CBP requires new appropriated funds to construct border fencing.
- **Key Leadership & Expertise** – Based upon previous border infrastructure and fencing projects, CBP's Border Patrol and Air and Marine Program Management Office (BPAM PMO), part of CBP's Office of Facilities and Asset Management has critical institutional knowledge on such construction projects. Between 2007 and 2008 hundreds of miles of pedestrian and vehicle fence were completed successfully. Significant projects include the following:
 - Project Pedestrian Fence 70: Completed in 2007, this effort produced 70 miles of primary geographically-appropriate fence. Challenges such as hills, rivers, mountains, forest, desert, urban, rural & remote environment require different security infrastructure.
 - Pedestrian Fence 225: Constructed 225 miles of pedestrian fence along the Southwest border in California, Arizona, New Mexico, and Texas.
 - Vehicle Fence 300: Built 299.9 miles of vehicle fence along the Southwest border in strategic locations, predominantly in Arizona and New Mexico; the remaining in California and Texas.

- The table below documents existing pedestrian and vehicle mileage by USBP Sector.

| Sector | Primary Pedestrian Fence | Primary Vehicle Fence | Primary Fence Total |
|-------------------------|-----------------------------|--------------------------|------------------------|
| Big Bend (BBT) | 4.6 | 0.2 | 4.8 |
| Del Rio (DRT) | 4.0 | 0.0 | 4.0 |
| El Centro (ELC) | 44.0 | 14.9 | 58.9 |
| El Paso (EPT) | 64.8 | 101.3 | 166.0 |
| Laredo (LRT) | 1.4 | 0.0 | 1.4 |
| Rio Grande Valley (RGV) | 54.9 | 0.0 | 54.9 |
| San Diego (SDC) | 45.9 | 0.4 | 46.2 |
| Tucson (TCA) | 71.8 | 139.4 | 211.2 |
| Yuma (YUM) | 62.9 | 43.8 | 106.6 |
| TOTAL | 354.2 | 299.9 | 654.1 |

- **Acquisition Strategy** – CBP is planning for potential new fence construction and began discussions with US Army Corps of Engineers (USACE) on how to quickly respond to new border requirements. Our execution strategy creates a pool of pre-qualified contractors to significantly reduce the acquisition timeline.
- **Collaborative Inter-Agency Partnerships** – Through previous construction efforts, CBP senior leadership developed strong, collaborative, inter-agency partnerships with USACE, the Department of Justice (DOJ) and other federal, state, and local agencies. These partnerships enable execution of CBP's USBP border infrastructure requirements.
- **Acquisition Timeline** – As part of lessons learned from prior projects CBP identified the planning factor from start-to-finish as 36 months -- half in planning and acquisition - half in construction.
 - Assumes the DHS Secretary employs legally-permissible & assertive waivers below.
- **Existing Legal Authorities** – DHS/CBP have existing legal authorities set out in Section 102 of the Illegal Immigration Reform and Immigrant Responsibility Act (“IIRIRA”) of 1996, as amended, 8 U.S.C. 1103 note, that provide the authority to construct border fence and roads in the vicinity of the border in areas of high illegal entry.
 - Provides DHS Secretary’s (the Secretary) waiver authority for expeditious construction of barriers and roads in the vicinity of the border in areas of high illegal entry.
 - When CBP cannot acquire necessary real estate through voluntary sales or acquisition, CBP will work closely with DOJ to prepare and file condemnation actions, paying fair market value for land to be acquired for mission critical construction.
 - We note here that amendments or “fixes” to Section 102 of IIRIRA, i.e., clarifying its application to technology, possibly eliminating the consultation requirements, etc., could further facilitate expeditious construction.
- **Government Furnished Material (GFM) and Supply Chain** – In previous fence construction initiatives a regular and dependable supply of steel proved problematic. As a result, CBP developed a plan to procure bulk steel and other necessary materials. However no materials are on hand.



U.S. Customs and
Border Protection

Failing Fencing/Walls with Inadequate Supporting Access Roads



Recently Constructed Fencing Examples



Primary Fence



Tertiary Fence



Secondary Fence



Vehicle Fence